

THE FEDERAL HIGHWAY ADMINISTRATION'S

# Excellence in Right-of-Way Awards

# 2004



# Congratulations to the Winners of the 2004 Excellence in Right-of-Way Awards



Congratulations to the winners of the 2004 Excellence in Right-of-Way Awards and all who were nominated for these awards. This biennial awards program was developed by the Federal Highway Administration (FHWA) to honor those who excel in streamlining or improving the real property acquisition process while ensuring that property owners' and tenants' rights are protected. The awards recognize outstanding innovations that enhance the right-of-way professional's ability to meet the challenges associated with acquiring real property for a Federal-aid project.

This year, FHWA received many impressive entries describing exciting and innovative right-of-way projects from around the country. The categories for the 2004 Excellence in Right-of-Way Awards included Innovation, Leadership, Local Public Agency Stewardship, Streamlining and Integration, and Technical Specialties. The winners in these five categories demonstrated successful methods to effectively and efficiently purchase and manage right-of-way in their states. The recipients will be honored during the 2004 FHWA and AASHTO Subcommittee on Right-of-Way and Utilities annual meeting in Seattle, Washington.

It is encouraging to know that right-of-way professionals are continually striving to improve their processes and the services they provide to the public. Other right-of-way professionals can implement and build upon the ideas and innovative processes represented in the winning entries. The winners' examples demonstrate that right-of-way professionals sharing successes benefit both the right-of-way community and the public. The ultimate benefits include time and money saved as we continue to streamline the process and make our national transportation system safer and more efficient while continuing to protect the rights of owners and tenants as well as the environment.

Once again, I would like to congratulate all of the winners in the 2004 Excellence in Right-of-Way Awards. Thank you for developing innovations in meeting the challenges of acquiring real property and serving the public.

A handwritten signature in cursive script that reads "Mary E. Peters".

Mary E. Peters  
Federal Highway Administrator

# THE FEDERAL HIGHWAY ADMINISTRATION'S EXCELLENCE IN RIGHT-OF-WAY AWARDS

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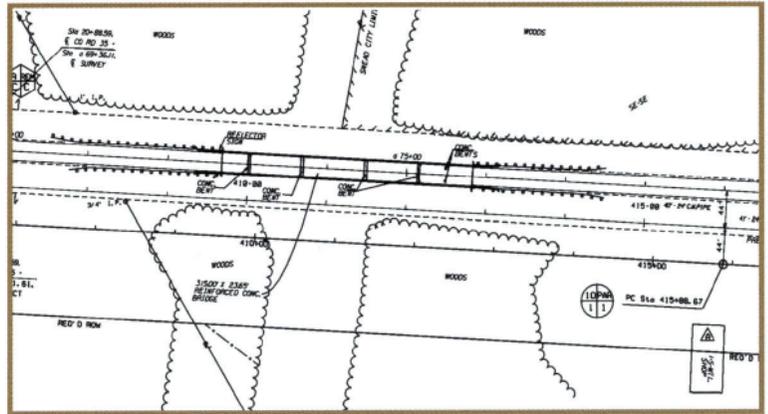
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## Innovation Award

### Alabama Department of Transportation

This Award recognizes the Alabama Department of Transportation (ALDOT) Right-of-Way Bureau's innovative method of recording and storing right-of-way project maps and providing access to ALDOT employees and the public.

For more than half a century, the ALDOT Right-of-Way Bureau accumulated and stored countless maps, deeds, and other documents and records necessary for acquisition and management of Alabama's highway right-of-way system. Concerns developed regarding space limitations, natural deterioration, retrieval difficulty, and the possibility of loss from fire or other catastrophe. Right-of-Way managers developed a comprehensive system to organize and protect these important documents using state-of-the-art technology.



Sample right-of-way project map.

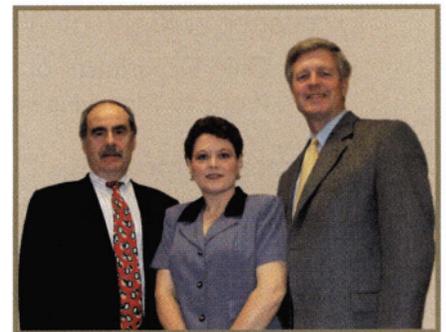
In the first phase of the project, over 3,000 maps were scanned and indexed by an outside contractor. The scanned documents are stored in PDF format on a server, along with a database of project-related information associated with the scanned material. A Document Management System (DMS), complete with custom search forms, puts the information at the fingertips of any ALDOT computer user. With electronic storage and backup systems in place, these important documents are preserved and protected from future loss or deterioration.

The second phase of the project addressed needs of users outside of the Department. These historical project documents are public records and are in constant demand by surveyors, utility companies, attorneys, engineers, and the general public. The Bureau's DMS is now available for use via the Internet. Right-of-Way staff developed a website for the Bureau and added links to the DMS that allows outside users to search and view these documents. By making the archived documents available to the public, ALDOT significantly reduced the time and money spent locating and retrieving the documents and producing paper copies. Web access to these documents improved accessibility for users who previously had to drive to an ALDOT office to access information. The user can now view and print the documents from any computer with Internet access.

ALDOT is looking at modernizing all record storage and management by utilizing the Right-of-Way model.

#### Contributors:

Alabama Department of Transportation | Paul Bowlin | Tammy Hicks | Mike Wilson



Paul Bowlin, Tammy Hicks, and Mike Wilson.

## Innovation Honorable Mention Award

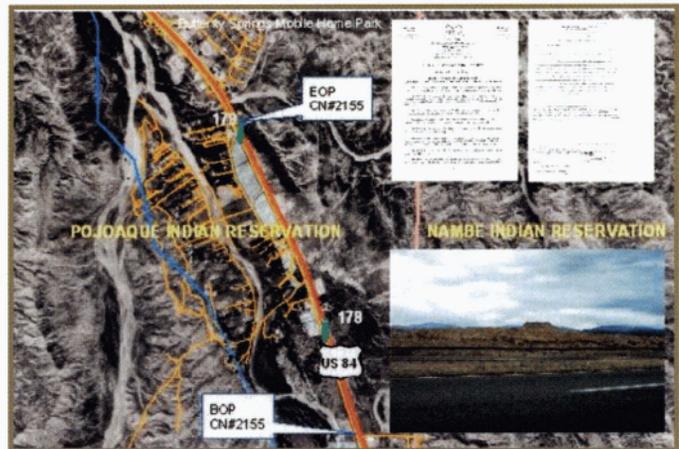
### New Mexico Department of Transportation

This Honorable Mention Award recognizes the Right-of-Way Bureau of the New Mexico Department of Transportation (NMDOT) for its efficient and effective use of a Geographic Information System (GIS) in everyday operations.

With the support of NMDOT Management and FHWA, the Right-of-Way Bureau took on the task of learning and incorporating GIS applications as a tool for improving its many processes and business practices in support of NMDOT's mission.

The Right-of-Way Bureau has implemented GIS applications for managing Indian land acquisitions, government land acquisitions, property management and monitoring water rights. The Right-of-Way Bureau's Railroads and Utilities Section is currently in the final stage of implementing an internet-based GIS rail/highway grade crossing system.

Right-of-Way is striving to expand its use of GIS to include all bureau functions. The bureau's ultimate goal is to create a system that affords users with access to a linked and fully integrated database. This will provide a seamless flow of documentation from beginning to end and facilitate a more efficient and economical right-of-way process.



This illustration shows the hotlink feature of the GIS program, linking parcels to Tribal Resolution, Bureau of Indian Affairs Grant of Easement documents, and a photo of one of the easements to show on screen.



Ron Noedel, Phil Lujan, Pete Contreras, Chris Park, Mary Pacheco, John Rocha, Leroy Vigil, Henry Gonzales, Bob Lopez, Art Gurule, and Lester Cisneros.

#### Contributors:

New Mexico Department of Transportation, Right-of-Way Bureau | Lester Cisneros | Pete Contreras | Henry Gonzales | Art Gurule | Bob Lopez | Phil Lujan | Ron Noedel | Mary Pacheco | Chris Park | John Rocha | Leroy Vigil

## Leadership Award

### David Kastendick and Laura Rakers Illinois Department of Transportation

This Award recognizes David Kastendick, District 6 Land Acquisition Engineer, and Laura Rakers, District 6 Condemnation Engineer, for their leadership in the Wabash Avenue/MacArthur Boulevard/Stanford Avenue Project for the Illinois Department of Transportation (IDOT).

The project began as a city project in Springfield, Illinois, and became a major project for the IDOT District 6 Office. Time constraints and complex issues led the city to seek help from the IDOT Bureau of Land Acquisition. David and Laura were instrumental in integrating right-of-way considerations into district and city project development processes. They created a flowchart that helped the Bureau of Design visualize a complicated land acquisition. David and Laura sought to balance the affected property owners' concerns with the interests and safety of the traveling public. David and Laura's ability to communicate and work within a team concept allowed them to achieve consensus with their Bureau of Design partners.

Design modifications satisfied many property owners, however, 14 parcels proceeded to court. These parcels were condemned and acquired by "quick take" acquisition within six weeks. Ordinarily it takes up to two months to simply schedule the court dates. Due to Laura and David's perseverance, District 6 and the City were able to meet the November 1, 2003 project letting date.

Through their sense of mission-accomplishment, consensus-building, and integration of right-of-way considerations into the planning and decision-making process, Mr. Kastendick and Ms. Rakers led the way toward the completion of a vital project that the motoring public can enjoy.

#### Contributors:

Illinois Department of Transportation, District 6, Bureau of Land Acquisition | David Kastendick |  
Laura Rakers



David Kastendick and Laura Rakers.

## Leadership Honorable Mention Award

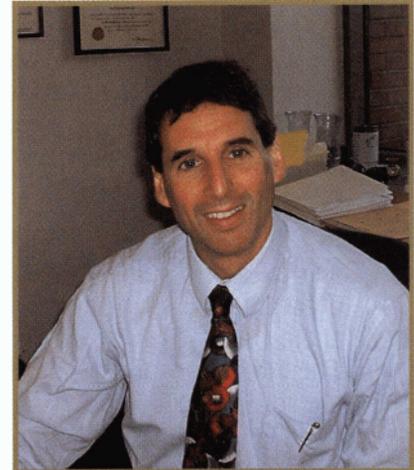
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Gerald L. Solomon  
Massachusetts Department of Transportation

This Honorable Mention Award recognizes Gerald L. Solomon for his leadership within the Massachusetts Department of Transportation. Gerry is a dedicated, experienced right-of-way professional who consistently demonstrates exemplary leadership skills in managing the Right-of-Way Bureau and representing MassHighways.

As Director of the Right-of-Way Bureau, Gerry uses his skills to resolve conflicts that can lead to project delays and increased costs. He successfully negotiated numerous resolutions on major right-of-way issues on the Central Artery Project involving, among others, the Massachusetts Port Authority, the new Boston Garden Corporation, the City of Boston, the United States Postal Service, the Gillette Company and Boston Sand and Gravel. Despite hundreds of complex land and property transactions needed for this massive project, the project was not delayed once due to a right-of-way issue. Gerry worked closely with the Massachusetts Attorney General's Office handling complex litigation matters involving MassHighway and Central Artery Project right-of-way issues.

As a leader, Gerry has been involved with FHWA and others in the development of protocol for the appraisal of contaminated properties, updating and revising the Right-of-Way Bureau's manual, streamlining several staff functions in the Bureau, and educating others on the importance of adhering to sound right-of-way principles. In particular, Gerry spearheaded an effort to advance the computerization of the Right-of-Way Bureau's functions, including implementing an electronic document management system that integrates all right-of-way documents and will be accessible by Bureau staff and the FHWA.



Gerald L. Solomon.

Contributor:

Massachusetts Department of Transportation | Gerald L. Solomon

## LPA Stewardship Award

### Washington Department of Transportation

**T**his Award recognizes the Real Estate Services Division of the Washington Department of Transportation (WSDOT) for their successful local agency program that provides assistance to local entities. The program manager for the Real Estate Services local agency program is Galen Wright.

Real Estate Services, through the Highways and Local Programs (H&LP) Division, is responsible for helping local agencies acquire right-of-way for federal-aid projects. The H&LP Division is specifically assigned the responsibility of working with local agencies in all phases of project development and construction. Approximately 51 percent of federal highway funds distributed in the state go to local agencies. WSDOT has approved 128 agencies for some level of right-of-way acquisition. This includes 37 of 39 counties, 85 cities and towns, five Indian tribes, transit agencies and a port authority. Ten agencies are approved to provide relocation with their own staff. There are also 35 current Agreements for Aid in place to allow the WSDOT to provide all or part of the real estate functions for local agencies.

Real Estate Services has been very active in updating and streamlining their acquisition processes and quickly informs local agencies of any legislative changes that affect the right-of-way process. The headquarters relocation staff has also developed forms and pamphlets local agencies can use to aid in the relocation process. Real Estate Services has a local agency coordinator in each of the six WSDOT regions and a program manager in Headquarters. The real estate local agency coordinators work closely with local agencies and provide training for local agencies. Training on the Uniform Act and related topics is given around the state. Coordinators also work with the program manager and FHWA to provide individual training to agencies as issues arise.

Local agency coordinators have annual meetings that include H&LP, FHWA, and WSDOT program specialists. This helps everyone keep abreast of current issues and find new ways to make the program more responsive and effective. FHWA and WSDOT have jointly performed process reviews of the local agency program in 2002 and 2003. The findings and recommendations have improved the strength of the program. These reviews identified the need to include right-of-way consultants in the training process. WSDOT now includes consultants in training and continues to find better ways to update and train local agencies. The reviews also identified a very high level of coordination and cooperation between the locals and WSDOT.

Through WSDOT's Local Public Agency (LPA) stewardship efforts, a strong state and local partnership has been formed. This partnership continues to grow and flourish. The WSDOT model of LPA stewardship demonstrates a commitment to ensuring that all property acquired with federal aid funds meets federal and state standards. Their model serves as an example of the power of partnership and proactive involvement.

#### Contributors:

Washington Department of Transportation | Kathleen Davis | Gerry Gallinger |  
Michael W. Horton | Galen Wright



Galen Wright, Gerry Gallinger, Michael Horton, and Kathleen Davis.

## LPA Stewardship Honorable Mention Award

### Wyoming Department of Transportation

This Honorable Mention Award recognizes the Right-of-Way Section of the Wyoming Department of Transportation (WYDOT) for the innovative assistance they provide to city and county airports in Wyoming.

In addition to the 6,800 miles of state and federal highways in Wyoming, 40 airports in Wyoming are publicly owned. The state has a new focus on improving commercial air services, and federal money has become available to improve airport facilities. The work associated with design, real estate acquisition and new construction often overwhelm the airport staff. The Aeronautics Division of the WYDOT recognized the challenges airports were facing and contacted the Right-of-Way Section for assistance. A process was quickly developed allowing a local agency to request WYDOT real estate assistance.

The Right-of-Way Section determined that the most efficient way to provide immediate help was by providing appraisal review service. The four certified appraisers in the Section took the extra time to review the airport appraisals in addition to their appraisal review work for highway projects.

They developed a Right-of-Way Program brochure for the local airports. The Right-of-Way Section is working with the Aeronautics Division to develop procedural manuals for airport expansion projects. To date, WYDOT's right-of-way staff has assisted 14 airports to acquire more than 65 parcels with a total cost of \$3.5 million.

#### Contributors:

Wyoming Department of Transportation | Craig Alexander | Rick McKee | Michael J. Miller | Michael V. Miller | William Phillips



Back row, l to r: Michael V. Miller, Michael J. Miller, and William Phillips;  
Front row, l to r: Rick McKee, and Craig Alexander.

## Streamlining and Integration Award

### New Jersey Department of Transportation

**T**his Award recognizes the New Jersey Department of Transportation's (NJDOT) streamlined approach to the Route 1 and Route 9, Section 4T, project in the City of Elizabeth. Right-of-way design, acquisition, and relocation activities were accomplished with the highest regard for the impacted environmental, social and economic constituencies.



View of Elizabeth Avenue in Elizabeth, New Jersey.

The project involved the replacement of the Elizabeth River Viaduct to improve traffic flow. It impacted 11 businesses, 20 multi-family residential dwellings, a motel occupied by long-term tenants on public assistance, and a boarding house with 17 occupants. There were 82 residential occupants requiring relocation assistance. The project also necessitated the functional replacement of the city's public works facility.

The project required that close coordination and integration be maintained between numerous agencies. NJDOT coordinated with the New Jersey Department of Environmental Protection and the City of Elizabeth. Coordination with the City and County public housing agencies was particularly important for the motel and rooming house occupants. The right-of-way staff worked closely with the design consultant and project manager to scale back one acquisition preventing the need to relocate a manufacturing facility with 60 employees.

The Central District Right-of-Way staff was proactive and quickly established a satellite office to enhance local awareness of available services. The office was staffed two days per week and remained open one evening every week. Translators were available to assist in discussions with Hispanic residents, and materials were presented in Spanish. Within 2 1/2 years, the entire process was complete, and the occupants were relocated to decent, safe, and sanitary housing.

The challenges faced on this project by the right-of-way staff were quite complex. Despite the various obstacles, the task was accomplished through the efforts of numerous people and agencies. Clearly demonstrated was NJDOT's appreciation of the issues and willingness to deal with them in a manner that fostered cooperation and understanding.

#### Contributor:

New Jersey Department of Transportation's Capital Program Management Area | Project Management  
| Design | Environmental Resources | Right-of-Way

## Streamlining and Integration Honorable Mention Award

### 2 0 0 4 Texas Department of Transportation

This Honorable Mention Award recognizes the Texas Department of Transportation (TxDOT) for streamlining and integration efforts on the Central Texas Turnpike Project (CTTP). The Right-of-Way Team at the Turnpike Project Office is part of the Austin District of TxDOT.

The CTTP consists of three roadway components: State Highway 45 North, Loop 1, and State Highway 130. The project is a "Fast Track" effort to construct 65.7 miles of new highway facilities to ease traffic congestion and increase mobility in the Central Texas region. The cost of the turnpike project is approximately \$3.4 billion with a completion date of late 2007. All three highway components are presently under construction. The right-of-way effort consists of acquiring over 600 parcels of real estate and several hundred relocations.

The Right-of-Way team integrated the work of over 24 different companies and subcontractors and over 100 transportation professionals. With the oversight of the TxDOT Right-of-Way Management Team, consultants provided mapping, acquisition, and relocation services. The direct coordination of the eminent domain proceedings also fostered a cooperative work environment with the Office of the Attorney General and other members of the Team. The integration of many disciplines and streamlining of the acquisition process allowed Texas to begin construction and begin solving some of the Central Texas traffic problems.

Contributors:

Texas Department of Transportation | John Breed | Kerry Fulton | Don Toner, Jr.



Central Texas Turnpike Construction Project.

*Integration led to solutions to Central Texas traffic problems*

### Maryland State Highway Administration

This Honorable Mention Award recognizes the Office of Real Estate Management System (OREMS) created by the Maryland State Highway Administration (MSHA) to streamline the paperwork involved in the right-of-way process.

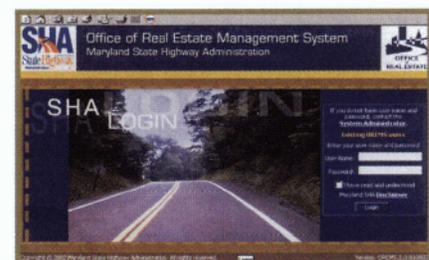
Prior to OREMS, every process required extensive paperwork, repetition of steps and hand distribution. All paper copies went through an interoffice mailing system or were hand-delivered. This method was cumbersome, inefficient, and time-consuming. In 1997, the Director of the Office of Real Estate Services requested that a database to track project and property information be developed. The new system was implemented in 1999.

MSHA customers who use OREMS include the Offices of Real Estate Services, Chief Counsel, and Plans and Surveys. The system allows many acquisition tasks and processes to be automated. This system integrates scanned acquisition plats enabling real property specialists to log into the system and print copies of the latest plats from a computer.

The system designed by the Office of Real Estate Services is a model within the MSHA. The OREMS enables the Office of Real Estate Services to make the most of taxpayer dollars by ensuring peak performance.

Contributors:

Maryland State Highway Administration | Ken Drury | Christopher Larson



OREMS log-in screen.

*Streamlined the right-of-way administrative process*

## Technical Specialties Award

### 2 0 0 4 Ohio Department of Transportation Property Management

This Award recognizes the Ohio Department of Transportation's (ODOT) District 9 and Central Office Real Estate staff for their successful efforts in property management. In early 2003, the ODOT began work on a major project in Lawrence County. The Lawrence County State Route 7 project involved replacing a typical two lane, non-limited access roadway with a modern limited access highway. ODOT's acquisitions resulted in 16 properties that were landlocked or were uneconomic remnants to the owners. ODOT recognized that they were going to acquire numerous improved parcels that, with a little work, would be economically viable parcels that could be sold.

The District needed to act quickly to reduce the potential for loss due to vandalism. By creating easements across three parcels acquired as uneconomic remnants, access was provided to three additional improved parcels that were landlocked. The District and Central Office decided to auction off the excess parcels. Several public interest articles in local newspapers generated interest in the auction, and a public auction announcement was advertised in all major local newspapers.

An open house was held the week prior to the sale, and the response was overwhelming. Approximately 450 people toured the homes during the open house. In October of 2003, the auction was held and attracted 69 registered bidders. Bids were received on all parcels but one, which was landlocked. Neither of the adjoining owners were interested in the property. The total appraised value of the parcels was \$411,284. The minimum acceptable bids for the properties offered for sale totaled \$274,073. No parcel sold for less than its appraised value.

The ODOT recognized that auctioning excess property would generate a return on the project investment and would result in funds that can be used on future Title 23 U.S.C. qualifying projects. The auction brought in \$491,000 for future projects, which exceeded the total appraised value by \$80,000. The local taxing district benefited by having these properties returned to the tax rolls, and 15 homeowners now occupy structures that otherwise would have been demolished.

#### Contributors:

Ohio Department of Transportation | Tom Corbin, Jr. | Dwight Daugherty | Douglas Maitland | Joe Manda | June Wayland | Randy Wilson



Parcel successfully auctioned off by ODOT.

## Technical Specialties Honorable Mention Award

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### New Mexico Department of Transportation Property Management

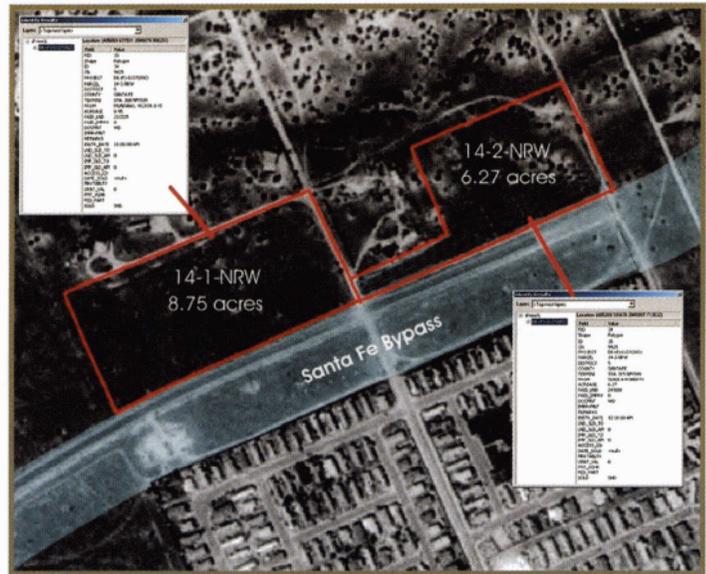
This Honorable Mention Award recognizes the Property Management Unit of the Right-of-Way Bureau of the New Mexico Department of Transportation (NMDOT). The Property Management Unit has successfully implemented a Geographic Information System (GIS) into its daily operations. The Unit gives high priority to learning and using GIS applications as a tool for improving its many processes in the management of NMDOT-owned property. NMDOT owns 300 Excess Land (EL) parcels that were purchased at a total cost of over \$10,000,000.

The Property Management Unit is responsible for the management of EL parcels and the legal use of highway right-of-way throughout the state. This entails the record keeping and maintenance of inventories for EL parcels, sales, abandonments, trades, leases, encroachments and road exchanges. They also answer requests for information on properties owned by the Department. Maintenance of records was difficult in the past because they were kept in hard copies or on microfiche in various locations. Through the use of GIS, they have greatly reduced record maintenance costs and have slashed their response time to internal and external customer requests to a matter of minutes rather than hours or days.

GIS has improved NMDOT's efficiency, quality of work, and service to its customers.

#### Contributors:

New Mexico Department of Transportation, Right-of-Way Bureau | Lester Cisneros | Pete Contreras | Bob Lopez | Phil Lujan | Ron Noedel



GIS features allow the graphic to be zoomed-in and information windows to pop up as needed. In this illustration, an aerial photo layer is added to the project to show terrain and access points.

## Technical Specialties Honorable Mention Award

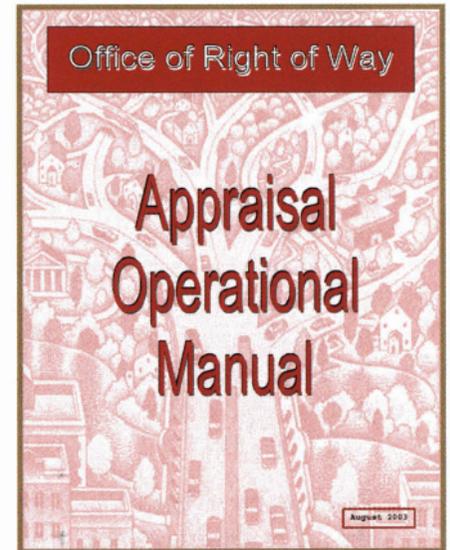
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### Iowa Department of Transportation Appraisal/Appraisal Review

This Honorable Mention Award recognizes Bernard Banker and the Iowa Department of Transportation (Iowa DOT) for the development of their Appraisal Manual.

The Iowa DOT recognized there were concerns and a lack of confidence in their Appraisal Manual. Bernard Banker was transferred to the position of Chief Appraiser and immediately began to address these issues and strengthen the Iowa DOT's appraisal process. Bernard organized a partnering workshop in which Iowa DOT appraisers, fee appraisers, and attorneys participated. The objective of the workshop was to develop bonds of trust and respect; address attitudes, beliefs, assumptions, and prejudices; improve communications; and develop common goals, performance standards and cooperative relationships.

The workshop participants agreed that the Appraisal Manual should be updated. Enhancements in the final version of the Manual included reworking of various forms, including guidance on when to use forms and in which situations; recitation of appropriate case law throughout the Manual plus a synopsis in the appendix; and an in-depth explanation of how to use the forms furnished to the appraiser. The document is now available and provides appraisers the tools to competently prepare an eminent domain appraisal in Iowa.



Iowa Department of Transportation  
*Appraisal Operational Manual.*



Bernard Banker.

#### Contributors:

Iowa Department of Transportation | Bernard Banker

## Judges

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### Edward V. Kelly

Mr. Kelly, Vice President with TBE Group, has 27 years of experience in the right-of-way profession. He is Deputy Division leader of TBE's Right-of-Way Service Group. His career includes more than 7 years as the Director, Right-of-Way for the South Carolina Department of Transportation. He also served as Regional Representative on the Executive Board of the Highway Subcommittee on Right-of-Way and Utilities for 6 years. Mr. Kelly is a licensed real estate broker and is an active member of the International Right-of-Way Association.



### Peter Nyberg

Mr. Nyberg retired in 2002 from the Federal Highway Administration with more than 37 years Federal Service, of which more than 30 years was as an FHWA Realty Specialist/Officer. He was assigned in the Washington, DC Headquarters Office, the former Region 5 Office, and Division Offices in Louisiana, Missouri, North Carolina, Pennsylvania, South Carolina and Texas. He also worked for the Department of the Air Force and Department of the Army. He has a Bachelors of Business Administration from the University of Texas-Arlington, and a Masters of Public Administration from the University of South Carolina. Mr. Nyberg is a member of the International Right-of-Way Association and holds the Senior Member, International Right-of-Way Association (SR/WA) designation.



### Lee Satterfield

Ms. Satterfield has worked in the right-of-way acquisition and relocation field for more than 12 years specializing in large, federally assisted transportation projects that require Uniform Act compliance. She is Relocation Assistance Certified by the International Right of Way Association (IRWA) and the Federal Highway Administration (FHWA), and she is also a certified Instructor for all IRWA Relocation Courses. In June of 2003, Ms. Satterfield became President and Principal-in-Charge of H.C. Peck & Associates, Inc., a national full service right-of-way firm founded in 1988 to provide professional land services to both private industry and government agencies.



### Merlin J. Voegle

Mr. Voegle was raised in Montana and worked for more than 36 years in the Federal Highway Administration's Montana Division office. He is a graduate of Montana State University with a degree in Accounting and has been a licensed real estate broker for nearly 40 years. Mr. Voegle is currently on the board of directors for several real estate development, investment and management firms, a credit union, a wetland trust, and several other non-profit organizations.

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<http://www.fhwa.dot.gov/realestate>



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